

COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND

BILL NO. 80-84 (AS AMENDED)

Introduced by Council President Hardwicke at the request of the  
County Executive

Legislative Day No. 80-28 Date October 14, 1980

AN EMERGENCY ACT to repeal and re-enact with amendments Article 3.1,  
heading, Capital Charges, to Chapter 24, heading,  
Water and Sewer, of the Harford County Code, as  
amended; to provide for the repealing and re-enacting  
of the water and sewer area connection rates in  
Harford County; and to provide for the raising of  
funds to meet water and sewer capital debts; TO  
ESTABLISH AN ANNUAL SERVICE AREA SURTAX FOR  
PROPERTIES BENEFITED BY PUBLIC WATER AND SEWER; and  
generally concerning capital charges for Harford  
County water and sewer projects.

By the Council, October 14, 1980

Introduced, read first time, ordered posted and public hearing scheduled

on: November 18, 1980

at: 6:30 P.M.

By Order: Angela Markowski, Secretary

PUBLIC HEARING

Having been posted and notice of time and place  
of hearing and title of Bill having been published according to the  
Charter, a public hearing was held on November 18, 1980  
and concluded on December 16, 1980.

Angela Markowski, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from  
existing law. Underlining indicates language  
added to Bill by amendment. Language lined  
through indicates matter stricken out of Bill  
by amendment.

1 Section 1. *Be It Enacted By The County Council Of Harford County,*  
2 *Maryland,* that Article 3.1, heading, Capital Charges, of Chapter  
3 24, heading, Water and Sewer, of the Harford County Code, as  
4 amended, be, and it is hereby repealed and re-enacted with  
5 amendments, all to read as follows:

6 Chapter 24. Water and Sewer.

7 Article 3.1 Capital Charges.

8 Section 24-37.1. Connection Charges. Within the Harford County  
9 Sanitary District, with the exception of the subdistricts AND  
10 MUNICIPALTIES therein, there is hereby established:

11 (a) (1) A connection charge that shall be paid by all  
12 persons, firms and/or corporations who are required to pay a  
13 charge in accordance with the provisions established by law.

14 (2) The charge shall be graduated at a scale of [Four  
15 Hundred and Fifty Dollars (\$450.00)] ~~EIGHT~~ FOUR HUNDRED FIFTY  
16 DOLLARS ~~(\$450.00)~~ (\$450.00) for sewerage connections and [Six  
17 Hundred and Fifty Dollars (\$650.00)] ~~ONE-THOUSAND-ONE-HUNDRED-FIFTY~~  
18 ~~DOLLARS--(\$1,150.00)~~ SIX HUNDRED FIFTY DOLLARS (\$650.00) for water  
19 connections based upon peak demands of gallons per minute; number  
20 of fixtures units served at peak demands; the ratio of peak demand  
21 to thirty (30) fixture units (as a base figure) and the size of  
22 the meter:

23 (A) Meter sizes shall be based upon the American  
24 Water Works Association maximum safe operating capacities with a  
25 normal pressure entering the meter.

26 (B) Peak instantaneous demand shall be based upon  
27 diversity curves for gallons per minute versus fixtures units  
28 established by American Standard, National Plumbing Code, American  
29 Society of Mechanical Engineers (1955 Edition). Values beyond  
30 five hundred (500) gallons per minute shall be obtained by  
31 geometric extension.

32 (C) Utilization of Schedule. A specific connection

1 rate shall be determined for a customer by establishing the  
2 customer's peak demand in terms of gallons per minute or the  
3 fixture unit count served at peak demand. By taking that infor-  
4 mation and locating the appropriate corresponding numbers on the  
5 schedule (the next higher number shall be used if the customer's  
6 number is not listed), and follow the schedule line for the  
7 listed area connection rate.

8 (b) A charge shall be included in the gross total of each  
9 billing for water and sewer service that shall be a charge for  
10 depreciation of capital facilities. Receipts from this charge  
11 shall be paid into the fund(s) from which capital indebtedness is  
12 paid. The depreciation allowance shall be [eighty-five percent  
13 (85%)] ONE HUNDRED PERCENT (100%) of the total actual depreciation  
14 expense as determined for the preceding fiscal year. The depre-  
15 ciation allowance shall be phased in over three (3) years. [The  
16 first one-third (1/3) of the depreciation allowance shall be  
17 phased in commencing on 1 July 1978. The second one-third (1/3)  
18 of the depreciation allowance shall be phased in commencing on  
19 1 July 1979. The third one-third (1/3) of the depreciation  
20 allowance shall be phased in commencing on 1 July 1980. The  
21 shortfall in revenues caused by the phase-in shall come from the  
22 surplus existing as of June 30, 1978.]

23 (c) The County Executive shall ensure that appropriate  
24 tables/schedules are formulated, as have previously been estab-  
25 lished by law, reflecting the charges established in this Article  
26 to ensure that the tables/schedules shall be effective on the  
27 effective date of this law.

28 (d) Fixtures. Fixtures are outlets for water in the  
29 customer's structure.

30 [(e) Charges paid under the provisions of Bill 76-136 shall  
31 be adjusted to the charges levied pursuant to the provisions of  
32 this Article.

(1) Adjustments will be made to the person who owns the property at the time the adjustment is made.

(2) The Treasurer shall determine the method of adjustment except that a reasonable, uniform method shall be adopted for a class or classes of obligors/recipients of the adjustment, if any.

(3) The adjustments made pursuant to this Section and Article are the adjustments that were required by Section 1-3 of Bill 76-136 and no further adjustment to the charges levied pursuant to Bill 76-136 shall be made.]

~~{{f}}--(e)--If for any reason the charges or a charge that is set or established by this section is declared to be unconstitutional or unenforceable or for any reason is unenforced, no connections to the system shall be allowed and no charges shall be levied against any persons, firms or corporations except after and as shall be provided by a new legislative act of the County Council adopting a new charge or charges to stand in lieu of the unconstitutional, unenforceable, or unenforced charge or charges.~~

(e) IF FOR ANY REASON, THE CHARGES THAT ARE ESTABLISHED BY THIS ACT ARE DECLARED TO BE UNCONSTITUTIONAL OR UNENFORCEABLE THEN, UNTIL NEW CONSTITUTIONAL OR ENFORCEABLE CHARGES ARE ESTABLISHED BY LAW, CONNECTIONS TO THE SYSTEM SHALL BE PERMITTED ONLY IF THE PERSON REQUESTING THE CONNECTION AGREES THAT THE CONNECTIONS WILL BE CHARGED AT THE NEW RATE WHEN IT IS EFFECTIVE.

SECTION 24-37.2. ANNUAL SERVICE AREA SURTAX. THE ANNUAL SERVICE AREA SURTAX IS HEREBY ESTABLISHED FOR ALL PROPERTIES BENEFITED-BY WITHIN THE PUBLIC-WATER-AND-SEWER-SERVICE HARFORD COUNTY SANITARY DISTRICT, WITH THE EXCEPTION OF THE SUBDISTRICTS AND MUNICIPALITIES THEREON IN THE AMOUNTS AS FOLLOWS:

<u>WATER METER SIZE</u>	<u>ANNUAL SERVICE AREA SURTAX</u>
<u>5/8"</u>	<u>\$ 60.00</u>
<u>3/4"</u>	<u>120.00</u>
<u>1"</u>	<u>180.00</u>

1	<u>1-1/4"</u>	<u>300.00</u>
2	<u>1-1/2"</u>	<u>420.00</u>
3	<u>2"</u>	<u>540.00</u>
4	<u>3"</u>	<u>1,260.00</u>
5	<u>4"</u>	<u>3,660.00</u>
6	<u>6"</u>	<u>7,260.00</u>

7        THE ANNUAL SERVICE AREA SURTAX FOR PROPERTIES RECEIVING WATER  
8 SERVICE ONLY OR SEWER SERVICE ONLY SHALL BE FIFTY PERCENT (50%)  
9 OF THE ABOVE ESTABLISHED SURTAX.

10 Section 3. *An Be It Further Enacted*, that this Act is hereby  
11 declared to be an Emergency Act, necessary to establish funds to  
12 meet water and sewer capital debts of the County water and sewer  
13 systems, and shall take effect on the date it becomes law.

14 EFFECTIVE:     January 13, 1981  
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80-84

AS AMENDED

BOOK 6 PAGE 268

BY THE COUNCIL

Read the third time.

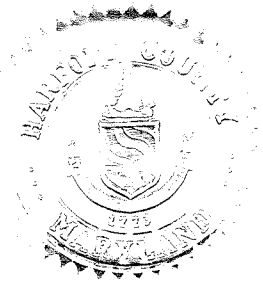
Passed LSD 80-33 (December 16, 1980) (with amendments)

~~Failed of Passage~~

By order

Angela Markowski, Secretary

Sealed with the County Seal and presented to the County Executive  
for his approval this 17th day of December, 1980  
at 3:00 o'clock P.M.

Angela Markowski, Secretary

BY THE EXECUTIVE

APPROVED:

County Executive

Date

In accordance with Section 311 of the Charter of Harford County,  
Maryland, Bill No. 80-84 (as amended) is hereby vetoed in toto  
this seventh day of January 1981.

J. Thomas Barranger  
J. Thomas Barranger  
County Executive

BY THE COUNCIL

This Bill (No. 80-84 (as amended), having been passed by the  
yeas of at least five (5) members of the Council notwithstanding  
the objections of the Executive, becomes law on January 13, 1981.

Filed & Recorded 3-4 1981 at 1:00 P.M.  
Lib. 6 Filed & examined per  
Douglas Chilcoat, Clerk, Harford Co.

Angela Markowski  
Secretary of the Council

80-84

AS AMENDED

EFFECTIVE DATE: January 13, 1981